

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA	)	
	)	Case No. 1:10-CR-425
v.	)	
	)	The Honorable Liam O'Grady
ALEJANDRO ALQUINTA,	)	
	)	Sentencing Date: March 4, 2011
Defendant.	)	
	)	

**GOVERNMENT'S MOTION FOR DOWNWARD DEPARTURE  
AND MEMORANDUM IN SUPPORT**

The United States of America, by Neil H. MacBride, United States Attorney for the Eastern District of Virginia, and Uzo E. Asonye, Assistant United States Attorney, hereby represents that the defendant, Alejandro Alquinta ("Alquinta" or "defendant"), has substantially assisted the government in its investigation and prosecution of other persons who have committed offenses, pursuant to Section 5K1.1 of the United States Sentencing Guidelines, and Title 18, United States Code, Section 3553(e), and accordingly moves the Court for a 50% reduction to the defendant's sentence.

**I. Introduction**

On December 3, 2010, the defendant pleaded guilty to a one count criminal information, which charged him with conspiracy to commit wire fraud in violation of Title 18, United States Code, Section 1349. As part of his plea agreement, the defendant agreed to cooperate with the Federal Bureau of Investigation and the United States Attorney's Office. Since that time, the defendant has provided substantial assistance in the investigation and prosecution of other

individuals involved in mortgage fraud in the Eastern District of Virginia. Accordingly, the United States files this motion for a downward departure pursuant to Section 5K1.1 of the United States Sentencing Guidelines (Substantial Assistance to Authorities) and 18 U.S.C. § 3553(e). The details and value of this cooperation are set forth below. The defendant will appear before the Court for sentencing on Friday, March 4, 2011.

## **II. Defendant's Substantial Assistance**

Alejandro Alquinta was a real estate agent at SunTrust Mortgage in Falls Church, Virginia from 2005 to 2006. He worked with other employees at SunTrust to submit fraudulent mortgage loan documents for individuals who could not otherwise afford mortgage loans. Alquinta and others falsified information on loan documents, including employment, income, assets, and other information in order to qualify the buyers for larger loans than they could afford. Alquinta acted as a loan officer for at least 14 fraudulent property transactions in which unqualified buyers obtained over \$4 million in mortgage loan proceeds. Alquinta also taught a loan assistant that he hired how to falsify loan documents. SunTrust suffered a loss of approximately \$600,000 as a direct result of Alquinta's conduct.

Alquinta was the first defendant to formally cooperate with the government in this case. Two weeks after Alquinta pleaded guilty, he met with the government and gave an extensive proffer as to his role and the role of other employees at SunTrust Mortgage with regard to mortgage fraud. Specifically, Alquinta described the manner in which he and others at SunTrust falsified borrower information in loan applications. On subsequent occasions, Alquinta met with investigators as they worked to corroborate additional information about the details of the conspiracy.

Alquinta's cooperation has provided substantial assistance to the government in a number of ways. First, Alquinta's cooperation confirmed the government's understanding of the individuals involved in and the scope of the conspiracy. Second, his cooperation allowed the government to focus investigative resources on particular means in which the scheme was executed, thereby conserving resources and shortening the length of the investigation. Third, Alquinta provided information of specific instances of criminal conduct by other conspirators, which the government used during interviews with those individuals. Fourth, and most importantly, as a result of Alquinta's cooperation, the government has obtained agreements to plead guilty from four unindicted co-conspirators who were part of the mortgage fraud scheme at SunTrust Mortgage. Although the government already had some evidence against these co-conspirators, Alquinta was the first source for some of the most useful evidence. The government may not have been able to secure these agreements to plead guilty without Alquinta's assistance. Alquinta's willingness to accept responsibility, plead guilty, proffer, and potentially testify, substantially assisted the government in this investigation.

Finally, although the government does not believe Alquinta or his family was at risk due to his cooperation, the government does credit that Alquinta cooperated even though he expressed genuine concern for his family's safety at his initial debriefing.

### **III. Recommendation**

In accordance with the authorization of the Substantial Assistance Committee of the United States Attorney's Office, the United States recommends that the Court depart downward from the advisory sentencing guidelines and impose a term of imprisonment 50% lower than that which the Court otherwise would impose. This motion is made pursuant to Section 5K1.1 of the

United States Sentencing Guidelines, and also pursuant to 18 U.S.C. § 3553(e) to the extent that it applies.

Neil H. MacBride  
United States Attorney

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 25th day of February 2011, I filed electronically the foregoing Position of the United States with Respect to Sentencing using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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